

**ENTERED**

December 02, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ROBERT E. CARTER,	§	CIVIL ACTION No.
Plaintiff,	§	4:21-cv-00704
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
LAW OFFICES OF	§	
REGENT &	§	
ASSOCIATES, ANH	§	
REGENT, KELLY	§	
ALBERT, LYNDEE LE,	§	
Defendants.	§	

**ORDER ADOPTING  
MEMORANDUM AND RECOMMENDATION**

*Pro se* Plaintiff Robert E. Carter brings claims against Defendant Law Offices of Regent & Associates and individual Defendants Anh Regent, Kelly Albert, and Lyndee Le for violations of the Fair Debt Collection Practices Act and the Texas Debt Collection Act. Dkt 1.

The case was referred to Magistrate Judge Sam Sheldon pursuant to 28 USC § 636(b)(1)(A) and (B) and Rule 72 of the Federal Rules of Civil Procedure. Dkt 6.

Carter brought a motion for default judgment against all Defendants on June 7, 2021. Dkt 10. Judge Sheldon issued a Memorandum and Recommendation finding that Carter “has not obtained waivers of service or properly served any of the Defendants.” Dkt 13 at 3. As such, he further found that “Defendants are not in default for failing to respond,” and he recommended that the motion be denied without prejudice. *Id* at 3, 5. Judge Sheldon also found that Carter “attempted to comply with the service rules immediately upon filing this lawsuit.” *Id* at 4. And so

he recommended that Carter be given an additional thirty days to serve Defendants or obtain waivers of service. Dkt 13 at 5.

Carter didn't file any objection. When no party objects to the conclusions of a magistrate judge, the reviewing court need only satisfy itself that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc.*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1420 (5th Cir 1996); see also FRCP 72(b) Advisory Committee Note (1983).

The Court has reviewed the pleadings, the record, the applicable law, and the recommendation. No clear error appears.


The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 13.

The motion by Plaintiff Robert E. Carter for default judgment against Defendants Law Offices of Regent & Associates, Anh Regent, Kelly Albert, and Lyndee Le is DENIED WITHOUT PREJUDICE. Dkt 10.

Carter has an additional thirty days from the entry of this order to serve Defendants or obtain waivers of service.

SO ORDERED.

Signed on December 2, 2021, at Houston, Texas.

  
Hon. Charles Eskridge  
United States District Judge